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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

STARA ORIEN,

Plaintiff and Appellant,

v.

MISTA LUTZ et al.,

Defendants and Respondents.

B289959

Los Angeles County
Super. Ct. No. BC524339

APPEAL from a judgment of the Superior Court of Los Angeles County, Deirdre H. Hill, Judge. Affirmed.

Stara Orien, in pro. per., for Plaintiff and Appellant.

Friedman Stroffe & Gerard and Richard W. Millar, Jr., for Defendants and Respondents.

This appeal concerns attorneys fees. The last appeal in *Orien v. Lutz* (2017) 16 Cal.App.5th 957 determined, first, that a statute governed the award of fees here and, second, that under the statute the trial court could allocate defense fees partly to the plaintiff. The trial court accordingly specified fee awards on remand. There was no abuse of discretion. We affirm.

In short, Stara Orien successfully sued sister Mista Lutz and half-brother Russell Howells to force sales of two family properties. Our 2017 opinion decided Code of Civil Procedure section 874.040 required the trial court to apportion the costs of this partition among the parties in proportion to their interests, or to make a different apportionment as may be equitable.

On remand, the trial court apportioned the attorneys fees among parties in proportion to their interests. Each of the three siblings had a one-third interest in each property, so each sibling was to bear one-third of the total reasonable fees.

The trial court stood by its earlier decision to cut one-quarter of Orien's requested fees. Unacceptably vague billings accounted for about one-quarter of Orien's counsel's billings, so the court reduced recoverable fees by one-quarter.

Orien's total reasonable fee for the common benefit was \$81,700.50. Dividing by three, pro rata apportionment meant each of the three bore \$27,233.50 of Orien's fees.

The trial court likewise ruled each sibling was to bear one-third of the reasonable fee for counsel to Lutz and Howells. This sum was \$98,499.00. Dividing by three, that pro rata share was \$32,833.00.

The trial court's bottom line was that Lutz and Howells pay two-thirds of Orien's fees and Orien pays one-third of theirs.

We review fee awards for an abuse of discretion. (*Orien v. Lutz, supra*, 16 Cal.App.5th at p. 966.)

Orien faults the trial court for failing to award an equitable apportionment. Orien's idea of equitable is she should get her way: she should get all her fees and should pay none of her siblings' fees. Orien maintains her siblings engaged in dilatory tactics that hurt and did not help Orien. But the trial court considered and granted the fee request for counsel to Lutz and Howells, and granted the entire request because the hours and the rate were reasonable. The trial court likewise disallowed one-quarter of Orien's fee request because of unacceptably vague billings. The one-third allocation to each of the three siblings reflects their one-third interests. That is reasonable.

Orien gives no good reason for disturbing the trial court's exercise of discretion, to which we defer.

Orien's other arguments parrot the substance of her first argument.

DISPOSITION

The judgment is affirmed. Lutz and Howells are entitled to costs on appeal.

WILEY, J.

WE CONCUR:

BIGELOW, P. J.

GRIMES, J.